

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TAURUS IP, LLC,

Plaintiff,

JUDGMENT IN A CIVIL CASE

v.

Case No. 07-cv-158-bbc

DAIMLERCHRYSLER
CORPORATION,
DAIMLERCHRYSLER COMPANY,
LLC, MERCEDES-BENZ USA, INC.,
CHRYSLER LLC, CHRYSLER
HOLDING, LLC and CHRYSLER
FINANCIAL, LLC,

Defendants.

MERCEDES-BENZ USA, INC. and
DAIMLERCHRYSLER COMPANY,
LLC,

Third-Party Plaintiffs,

v.

TAURUS IP, LLC, ORION IP, LLC,
PLUTUS IP WISCONSIN, LLC, and
ERICH SPANGENBERG,

Third-Party Defendants.

This action came for trial and consideration before the court with District Judge Barbara B. Crabb presiding. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that judgment is entered:

1. Denying defendants Chrysler, LLC and Mercedes-Benz USA Inc.'s motion for permanent injunction;
2. Granting plaintiff and third party defendants' motion for summary judgment on defendants' claims that:
 - (a) plaintiff and third party defendants breached Articles 2.1 and 3.5 of the licensing agreement, and
 - (b) plaintiff and third party defendant Plutus IP Wisconsin, LLC breached Article 8.1(iii) of the licensing agreement;
3. Granting defendants' motion for summary judgment on plaintiff's claims that:
 - (a) defendants DaimlerChrysler Corporation, DaimlerChrysler Company, LLC, Chrysler, LLC, Chrysler Holding, LLC and Chrysler Financial, LLC directly and indirectly infringed claims 16, 19, 22, 23 and 27 of the '658 patent by making, using, offering products for sale, or selling products or services available for configuration at internal dealer websites and portals or at www.daimlerchrysler.com, including www.chrysler.com, www.dodge.com, www.jeep.com, and
 - (b) defendant Mercedes-Benz USA, Inc., directly and indirectly infringed claims 16, 19, 22, 23 and 27 of the '658 patent by making, using, offering products for sale, or selling products or services available for configuration at internal websites and dealer portals or at www.daimlerchrysler.com, including www.mbusa.com, which is linked to www.daimlerchrysler.com;
4. Dismissing plaintiff's complaint as to all defendants;
5. Granting defendants' motion for summary judgment on defendants' claims that:
 - (a) claim 16 of the '658 patent is invalid under 35 U. S. C. § 102(e)(2) as anticipated by the prior art, and

- (b) claim 27 of the '658 patent is invalid under 35 U. S. C. § 102(e)(2) as anticipated by the prior art;
6. Dismissing defendants' counterclaim for breach of contract as to plaintiff Taurus IP, LLC and dismissing defendants' third party complaint of contract as to third party defendant Plus IP Wisconsin, LLC; and
7. Enjoining third party defendants Orion IP, LLC and Erich Spangenberg from transferring, disbursing or otherwise depleting Orion IP, LLC's assets, directly or indirectly, except as necessary to carry on Orion IP, LLC's normal business operations of purchasing, enforcing and licensing patents, until Orion IP, LLC has satisfied the judgment to be entered against it in this case.

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered in favor of defendants Chrysler, LLC and Mercedes-Benz USA, Inc. and against plaintiff Taurus IP, LLC and third party defendant Orion IP, LLC, jointly and severally, in the amount of \$1,644,906.12.

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered in favor of defendants Chrysler, LLC and Mercedes-Benz USA, Inc. and against third party defendant Orion IP, LLC in the additional amount of \$2,194,510.25.

Approved as to form this 4th day of June, 2008.

Barbara B. Crabb
Barbara B. Crabb, District Judge

Theresa M. Owens
Theresa M. Owens, Clerk of Court

June 4, 2008

Date